

JOHN E. SWALLOW #5802  
Chief Deputy Attorney General  
HARRY H. SOUVALL #4919  
ROGER F. FAIRBANKS #3792  
Assistant Attorney General  
MARK L. SHURTLEFF #4666  
UTAH ATTORNEY GENERAL  
5110 State Office Building  
P.O. Box 142477  
Salt Lake City, UT 84114-2477  
Telephone: (801) 538-9687  
Fax: (801) 538-9727  
jswallow@utah.gov  
hsouvall@utah.gov  
rfairbanks@utah.gov  
*Attorneys for Plaintiff*

---

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

<p>UINTAH COUNTY, UTAH, a Utah political subdivision; UINTAH COUNTY BOARD OF COMMISSIONERS; and UTAH ASSOCIATION OF COUNTIES, on behalf of its impacted members, including named member Uintah County,</p> <p>Plaintiffs,</p> <p>vs.</p> <p>KEN SALAZAR, in his official capacity as SECRETARY OF THE INTERIOR; <i>et al.</i></p> <p>Defendants, and</p> <p>SOUTHERN UTAH WILDERNESS ALLIANCE, <i>et al.</i>,</p> <p>Defendant-Intervenors.</p>	<p><b>PLAINTIFF STATE OF UTAH'S MOTION FOR LEAVE TO FILE ITS FIRST AMENDED COMPLAINT</b></p> <p>Case No. 2:10-cv970-CW Case No. 2:11-cv-391-CW (consolidated)</p> <p>Judge Clark Waddoups Magistrate Judge Samuel Alba</p>
---	--

STATE OF UTAH,

Plaintiff,

vs.

KEN SALAZAR, in his official capacity as  
Secretary for the Department of Interior; the  
DEPARTMENT OF THE INTERIOR, an  
agency of the United States of America;  
ROBERT V. ABBEY, in his official capacity  
as Director for the Bureau of Land  
Management; and the BUREAU OF LAND  
MANAGEMENT, an agency of the United  
States of America,

Defendants.

SOUTHERN UTAH  
WILDERNESS ALLIANCE, *et al.*,

Defendant-Intervenors.

Pursuant to Rule 15 of the Federal Rules of Civil Procedure, Plaintiff State of Utah, by and through counsel, hereby moves this Court for an Order authorizing the filing of an Amended Complaint. This Motion is brought to specify facts surrounding the State of Utah's Article III standing and to assert a cause of action for procedural and substantive unlawful wilderness management. This Motion is supported by the accompanying Memorandum in Support of Motion for Leave to File an Amended Complaint. The Proposed Amended Complaint is attached hereto as Attachment 1.

Counsel for State of Utah has conferred with counsel for the Federal-Defendants and Defendant-Intervenors regarding this motion, and they take no position at this time reserving the right to oppose this Motion after reviewing it and the Proposed Amended Complaint. Counsel for the State of Utah also conferred with counsel for Plaintiff Uintah County who does not oppose this request. Wherefore, the State of Utah asks that the Court grant its request for leave to file its First Amended Complaint.

Dated this 3rd day of November, 2011

/s/ Harry H. Souvall

HARRY H SOUVALL

ROGER FAIRBANKS

Assistant Attorneys General

JOHN O. SWALLOW

Chief Deputy Attorney General

Utah Attorney General's Office

Attorneys for the State of Utah

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion for Leave to File Amended Complaint with Attachment was provided electronically to all parties named below on the 3<sup>rd</sup> day of November, 2011.

/s/ *Harry H. Souvall*

HARRY H. SOUVALL

Assistant Attorney General